

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Clark et al.

Application No: 09/414,384
Confirmation No. 3236

Filed: October 7, 1999

Title: FLOW RESISTANCE MODULATED AEROSOLIZED
ACTIVE AGENT DELIVERY

Group No: 3771

Examiner: Dixon, Annette Fredricka

Attorney Docket No: NK.0037.00 [53235-US-CNT]

October 28, 2009
San Francisco, CA 94107



Mail Stop Appeal Briefs-Patents
Commissioner for Patents
P.O. Box 1450
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Via U.S. Mail

- ☒ Appeal Brief
☐ Comments on Statement of Reasons for Allowance
☐ Notice of Appeal (form PTO/SB31)
☐ Drawings
☐ Supplemental Information Disclosure Statement
☐ PTO-SB08 Form
☐ Citations
☐ Terminal Disclaimer
☐ Postcard for Return

Extension of Time

☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136

Extension (Months)	Extension Fee	
	Large Entity	Small Entity
<input checked="" type="checkbox"/> One Month	\$130.00	\$65.00
<input type="checkbox"/> Two Months	\$490.00	\$245.00
<input type="checkbox"/> Three Months	\$1,110.00	\$555.00

Total \$ 130.00

☐ Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time.

Fees for Extra Claims

	Claims remaining after amendment	Highest number previously paid for	Number Extra	Rate		Additional Fee
				Large Entity	Small Entity	
Total Claims	16	36	0	\$52.00	\$26.00	\$0.00
Independent Claims	0	0	0	\$220.00	\$110.00	\$0.00
Multiple Dependent Claims	0	0	0	\$390.00	\$195.00	\$0.00
Supplemental Information Disclosure Statement						
Total						\$0.00

Fee Payment

Appeal Brief	\$540.00
Extension Fee	\$130.00
Total	\$670.00

- ☐ Attached is check no. _____ in the sum of \$0.00.
☒ Please charge Deposit Account No. 10-0258 in the sum of \$670.00.

CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile transmitted to the U.S. Patent Office at (571) 263-8300; or electronically submitted via EFS on the date shown below.

By: Melanie Hitchcock Date: October 28, 2009
Melanie Hitchcock

Fee Deficiency

- ☒ If any additional extension and/or fee is required, please charge Deposit Account No. 10-0258 and/or
☒ If any additional fee for claims is required, please charge Deposit Account No. 10-0258

Please direct telephone calls to: Guy V. Tucker at (415) 538-1555
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Respectfully submitted,

By: Guy V. Tucker Date: October 28, 2009
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